

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOYCE JONAS,

Plaintiff,

vs.

No. CIV 09-0091 JB/WPL

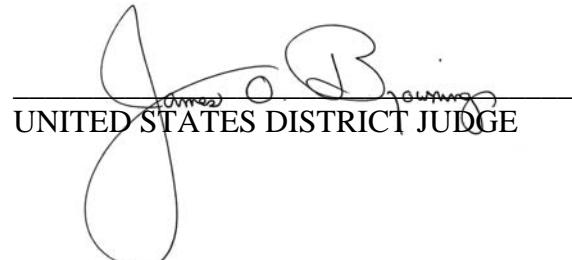
BOARD OF COMMISSIONERS OF LUNA COUNTY,
LUNA COUNTY SHERIFF'S OFFICE,
DEPUTY SHERIFF DONNIE DANIELS,
and DEPUTY SHERIFF DON HOOLAN,

Defendants.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the County Defendants' Motion for Judgment on the Costs Bill, filed August 19, 2010 (Doc. 125). The Court held a hearing on November 1, 2010. The primary issue is whether the Court should enter a judgment on the Costs Bill. Defendants Luna County Sheriff's Office, Deputy Sheriff Donnie Daniels, and Deputy Sheriff Don Hoolan (the "County Defendants") move for judgment on the Costs Bill. Plaintiff Joyce Jonas had earlier agreed to pay costs, but has not made any payments. Contrary to her representations to her lawyer, Jonas does not appear to have filed for bankruptcy. Although Jonas' attorney appeared at the hearing, Jonas did not appear at the hearing, and she did not file a written response in opposition to the County Defendants' motion. See D.N.M.LR-Civ.7.1(b) ("The failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion."). Because Jonas does not appear to oppose the motion, and for reasons stated on the record at the hearing and for other reasons consistent with those already stated, the Court will grant the motion and enter a separate judgment taxing costs against Jonas.

IT IS ORDERED that County Defendants' Motion for Judgment on the Costs Bill, filed August 19, 2010 (Doc. 125), is granted.



UNITED STATES DISTRICT JUDGE

Counsel:

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and Deputy Sheriff Don Hoolan*